



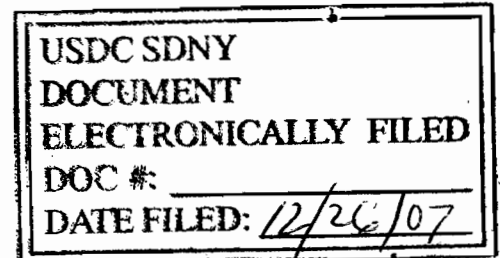
United States Attorney
Southern District of New York

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December 23, 2007

By Facsimile

The Honorable Shira A. Scheindlin
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: United States v. Luis Valerio and Lewis Allen
S1 07 Cr. 235 (SAS)

Dear Judge Scheindlin:

The Government respectfully submits this letter to request an adjournment of the sentencing of defendants Luis Valerio and Lewis Allen, currently scheduled for January 8, 2008. The Government has informed both the Probation Office and defense counsel of its belief that both defendants' prior crack distribution as part of the Angel Martinez drug distribution organization on Gerard Avenue in the Bronx (the leader of this organization, Angel Martinez, is facing murder and crack distribution charges before Judge Denny Chin in United States v. Angel Martinez et al., S3 06 Cr. 987 (DC)) constitutes relevant conduct for the defendants pursuant to Section 1B1.3(a)(2) of the United States Sentencing Guidelines. After discussing the issue with defense counsel, the parties anticipate that a Fatico hearing will be necessary to resolve the issue of the appropriate offense level determination for at least one of the defendants. The Government has been in the process of gathering information from cooperating witnesses regarding the defendants' respective roles in the Angel Martinez drug distribution organization, and will provide the Probation Office with the necessary information to complete the offense conduct section of the Presentence Investigation Report by December 26, 2007.

Once the Presentence Investigation Report is completed, the parties will contact Your Honor's chambers to schedule a Fatico hearing, or in the event that no such hearing is necessary, to request a new sentence date.

Request granted. Sentence adjourned
since die for both defendants. The Government
is hereby ordered to contact the Court promptly to
schedule a new date for these sentences. So Ordered.
S. A. F. 12/24/07

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Thank you for your consideration of this matter.

Respectfully submitted,

MICHAEL J. GARCIA
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Counsel for Luis Valerio

Michael H. Sporn, Esq.
Counsel for Lewis Allen